

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:21-CV-00172-KDB-SCR**

**Belvin Sherrill
Aurelia Sherrill,**

Plaintiffs,

v.

Aziyo Biologics, Inc., et al.

Defendants.

ORDER

THIS MATTER is before the Court on Plaintiffs’ Motion for Partial Summary Judgment on the Single Issue of Causation (Doc. No. 110), which Defendant Aziyo Biologics, Inc. does not oppose (Doc. No. 126). As the motion is not opposed, and Defendant Aziyo Biologics, Inc. stipulates that Plaintiff Aurelia Sherrill contracted tuberculosis as a result of her April 6, 2021, spinal fusion surgery utilizing FiberCel, the Court will **GRANT** the motion as related to Aziyo Biologics, Inc., and enter partial Summary Judgment in favor of Plaintiffs as requested.

NOW THEREFORE IT IS ORDERED THAT:

Plaintiffs’ “Motion for Partial Summary Judgment” on the single issue of causation (Doc. No. 110) is **GRANTED** as to Defendant Aziyo Biologics, Inc.

SO ORDERED ADJUDGED AND DECREED.

Signed: September 30, 2024



Kenneth D. Bell
United States District Judge

